



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: K-1617-127 CO#1**

<b>File ID:</b> K-1617-127 CO#1	<b>Type:</b> Contract	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item 16	<b>In Control:</b> City Council
<b>Department:</b> Public Works Department	<b>Cost:</b> \$299,402.78	<b>File Created:</b> 11/30/2017
<b>File Name:</b> Change Order No. 1 to Contract for Imhoff Creek Channel Repair Project		<b>Final Action:</b>

**Title:** CHANGE ORDER NO. ONE TO CONTRACT K-1617-127: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RDNJ, L.L.C. D/B/A A-TECH PAVING INCREASING THE CONTRACT AMOUNT BY \$299,402.78 FOR A REVISED CONTRACT AMOUNT OF \$750,647.78 AND ADDING 100 CALENDAR DAYS TO THE CONTRACT FOR THE IMHOFF CREEK CHANNEL IMPROVEMENTS PROJECT.

**Notes:** ACTION NEEDED: Motion to approve or reject Change Order No. One to Contract K-1617-127 with RDNJ, L.L.C., increasing the contract amount by \$299,402.78 for a revised contract price of \$750,647.78 and adding 100 calendar days to the contract; authorize the execution thereof, and record \$300,000 OEM advance of funds in Federal Reimbursements (050-0000-331.12-52) and appropriate \$299,402.78 to Project SR0103, Imhoff Creek Channel Repair, Construction (050-9387-419.61-01).

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 01/23/2018

**Agenda Number:** 16

**Attachments:** Change Order No. 1, Location Map, May Rainfall Graph, Damages Map, Cost Summary Table, Requisition

**Project Manager:** Tim Miles, Capital Projects Engineer

**Entered by:** rachel.warila@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File K-1617-127 CO#1

Body

**BACKGROUND:** From the time period of May 5th to May 24th, 2015, the City of Norman experienced an EF-1 tornado and multiple flash flooding events. The attached graph, prepared by staff at the National Weather Center, illustrates a historic level of flooding and rainfall in Norman in May 2015. Over 23 inches of rain fell in Norman in May of 2015, or nearly 10 more inches of rain than the previous rainfall record in Norman of 13.43 inches in May, 1957.

According to the National Weather Center, at least five of those rainfall events in May 2015 involved flash flood conditions. Flash floods can be very damaging to the City's infrastructure, particularly roads, bridges and stormwater systems. With each flooding event in May 2015, the City encountered more infrastructure damage and road closures. At one point in May, 35 of Norman's roads were closed to traffic due to damage or high water. Most of these roadways are located in rural east Norman. The Public Works Department has continually tracked an inventory of damaged roads and bridges. To date, 66 damage locations from the May 2015 storms have been identified, as shown on the attached map. One of these locations identified as Site #17 on the map was the Imhoff Creek Channel Repairs located south of Westbrooke Terrace and east of Berry Road. Damages to the channel included washing out approximately 250 feet of articulated concrete block channel and damage to a concrete block drop structure.

City staff has worked closely since May 2015 with officials from Oklahoma Emergency Management (OEM) and the Federal Emergency Management Agency (FEMA) regarding storm damage assessments and the potential for state and federal disaster relief financing. Mayor Cindy Rosenthal declared a local disaster by resolution on May 19, 2015. Governor Mary Fallin declared a state disaster by resolution on May 26, 2015. President Obama established a Presidential Disaster Declaration for Cleveland County on May 26, 2015 for the period of May 5-24, 2015, making the City eligible for up to 87.5% reimbursement (75%-federal; 12.5% state) for debris removal from the May 6, 2015 tornado and infrastructure repairs caused by the May 5-24, 2015 floods.

On November 24, 2015, City Council approved contract K-1516-71 with Freese and Nichols to provide engineering design services for five infrastructure damage locations, including the Imhoff Creek Channel Repair Project.

On September 14, 2016, Travis King, City Fire Chief and Emergency Manager, signed the FEMA Project Worksheet for the Imhoff Creek Channel, which is the funding mechanism for the reconstruction of the damage caused during the May 2015 disasters.

On July 17, 2017, the Floodplain Permit Committee approved Permit No. 588 for the Imhoff Creek Channel Improvements. On July 25, 2017, in a companion agenda item, City Council approved Resolution R-1718-9 authorizing the proposed modifications of the streambanks for Imhoff Creek Channel Repairs and granted City Floodplain Permit No. 58, as approved by the City Floodplain Permit Committee on July 17, 2017.

On July 25, 2017, City Council also awarded the Base Bid and Add Alternate A Bid for the Imhoff Channel Repair Project. The Base Bid was for damages that occurred during the May 2015 disaster period and the Add Alternate A Bid included damages that occurred during spring 2017 rains to an adjacent segment of channel.

Proposed improvements for the Imhoff Creek Channel Repair Project included:

1. Replacing the damaged articulated concrete block channel segments with concrete channel lining.
2. Reconstructing the existing damaged drop structure, which is a manmade waterfall type structure designed to convey water to a lower elevation in the channel while controlling the energy and velocity of the water.
3. Removal of debris from the existing plunge pool.

**DISCUSSION:** The proposed change order would address additional damages to Imhoff Creek Channel as a result of fall 2017 rainfall, which occurred after construction of the original project was underway. The attached location map shows the two new damage locations adjacent to the existing project. These two areas were originally constructed with the same type of articulated concrete block that failed during the May 2015 disaster period and during spring 2017 rainfall. The remainder of the articulated concrete block upstream from this project is a different type that is grouted in place and has not been susceptible to failure like the block that is currently being replaced. Staff is hopeful this will continue to be the case, so that future resources can be focused on other downstream areas of the channel. These two new damage areas are critical areas of the channel and without immediate attention will jeopardize the Base Bid and Alternate A Bid portions of this construction project.

FEMA and OEM have agreed to pay 87.5% of the construction costs of the Base Bid, which is for the damages that occurred during the May 2015 disaster period. They also agreed to pay up to \$110,000 additional dollars in

Hazard Mitigation Plan (HMP) funds to repair additional segments of this type of articulated concrete block that has been susceptible to failure. As a result, FEMA and OEM will pay approximately \$408,552 of the original contract amount of \$451,245 (\$341,545 Base Bid + \$109,700 Alternate A Bid). The City had to front the entire \$451,245, but after reimbursements, the City's responsibility will be approximately \$42,693. Of the \$451,245 fronted by the City, \$415,000 was budgeted in the FYE 2018 City Capital Fund and the remaining \$36,245 is proposed to be appropriated from Capital Fund balance (account 050-0000-253.20-00) that will need to be reimbursed when FEMA and OEM reimbursement comes through.

Staff reached out to OEM in May of 2017 to request an advance of funds since we knew it would take a long time to see the 87.5% reimbursement from FEMA and OEM for the disaster. Finally, after periodic checking in with OEM on the status of the advance of funds, Mike Teague, Public Assistance Officer with OEM notified staff on January 6, 2018, that the \$300,000 advance request had been approved. These funds were deposited in City accounts on Tuesday, January 9, 2018. Staff is recommending as a part of this agenda item that the \$300,000 advance of funds be recorded in the Federal Reimbursements revenue account (050-0000-331.12-52).

The new damage area costs included in Change Order No. 1 in the amount of \$299,402.78 are not eligible for federal funds, so will need to be 100% City-funded. Staff is proposing to fund this change order using the recently-received OEM advance of funds mentioned above. All items are unit price items from the original bid.

Once the funds are recorded, staff is recommending that \$299,402.78 be appropriated from the Federal Reimbursement account to Imhoff Creek, Construction (account 050-9387-419.61-01; project SR0103) to pay for Change Order No. 1. The full repair including this change order will cost the City \$342,095.91 or 45.6% of the \$750,647.78 total repair cost as shown on the attached Cost Summary Table.

**RECOMMENDATION NO. 1:** Staff recommends that the \$300,000 OEM advance of funds be recorded in Federal Reimbursements (revenue account 050-0000-331-1252) and that \$299,402.78 of these funds be appropriated to Imhoff Creek Channel Repair, Construction (account 050-9387-419.61-01; project SR0103).

**RECOMMENDATION NO. 2:** Staff also recommends that Change Order No. 1 increasing contract K-1617-127 by \$299,402.78 be approved.